

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

Jonathan Schwalb, Esq.  
Friedman Vartolo LLP  
85 Broad Street, Suite 501  
New York, New York 10004  
Attorney for SN Servicing Corporation as Servicer for  
U.S. Bank Trust National Association, as Trustee of  
Chalet Series III Trust  
P: (212) 471-5100  
[bankruptcy@FriedmanVartolo.com](mailto:bankruptcy@FriedmanVartolo.com)

IN RE:

Eugene F Babitz  
Milagros Babitz

Debtor

Case No. 15-13791

Judge: Vincent F. Papalia

Chapter: 13

**CERTIFICATION OF DEBTOR(S) DEFAULT AND REQUEST FOR ENTRY OF AN ORDER  
VACATING THE AUTOMATIC STAY AS TO REAL PROPERTY AS TO SECURED  
CREDITOR**

I Michael J Egan hereby certify as follow:


1. I am a Bankruptcy Asset Manager for SN Servicing Corporation as Servicer for U.S. Bank Trust National Association, as Trustee of Chalet Series III Trust, a secured creditor of the debtor.
2. After the debtor's first default in payments, Secured Creditor filed a Motion for Relief from Stay on June 7, 2017 (Docket #77). Subsequently, Secured Creditor resolved the issues with the Debtor's attorney and an order was entered on August 3, 2017 resolving the Motion for Relief from Stay (Docket #81). The duly entered Order provided for, among other things, the debtor to resume making the regular, monthly mortgage payments beginning August 1, 2017. The remaining terms of the Order are set forth in the annexed **Exhibit A**, a true copy of the Order resolving the original Motion for Relief from Stay. The Court's attention is respectfully directed

to the default clause of the order providing for the submission of the within certification and form of order upon default.

3. As of the execution of this certification, according to Secured Creditor's records, the debtor has failed to comply with the terms of the Order by failing to make the monthly, regular mortgage payments outside of the Plan. The debtor is currently due for 4 monthly payments (August 2018 – November 2018) x \$2,456.11. The total amount past due is \$9,824.44. The above-mentioned payments are more than 30 days delinquent.
4. Simultaneously with the submission to the Court of the within Certification and proposed form of Order, copies of these documents are being served upon the debtor, counsel for the debtor and the Standing Trustee.
5. Based on the above, the debtor has failed to meet the conditions to continue the Automatic Stay, and it is respectfully requested that this Court enter an Order Vacating the Automatic Stay as to Real Property to the Secured Creditor.

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the forgoing statements made by me are willfully false, I am subject to punishment.

Dated: 12/28/2018

  
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Signature